

Remarks

The Examiner will see that claims 3, 5 to 10, 12 to 17, 19 to 21 and 23 to 24 have been amended in a manner that addresses the informalities identified in section 5 of the Office Action.

Referring to section 6 of the Office Action, Claims 27 and 28 have been amended to be limited to statutory subject matter. These claims now define a “computer program product”.

Referring to section 8 of the Office Action, claims 18 and 27 have been amended in a manner believed to satisfy the requirements of 35 U.S.C. 112.

The applicants have also taken this opportunity to make other tidying and clarifying amendments to the claims for reasons of consistency of language throughout the claims, etc. Applicants submit that the Examiner will find these changes to be self-explanatory and of an acceptable form.

Save for the aforementioned changes to the claims, applicants have not substantively modified the scope of the claims since, in the applicants' opinion, the claims define an invention that is both novel and not rendered obvious by any of the prior art references of record, whether taken singly or in any combination.

The Examiner has rejected claims 1, 5 to 7, 10, 12, 13, 22, 23, 25 and 28 under 35 U.S.C. §103(a) as being unpatentable over O'Brien, Jr (US2003/0031165) in view of Donovan (US6480588) and further in view of Arrow et al (US6175917).

The Examiner concedes that O'Brien does not explicitly disclose that **a)** the reply comprises the packet network address of the gateway used to contact the destination terminal. In fact feature **a)** as specified in claim 1 of the present

application comprises **a)** *receiving a reply at the originating gateway from the gatekeeper said reply comprising the packet network address of at least one of gateway which can be contacted to reach the destination terminal.* Thus, it can be seen that the feature requires that not only does the reply comprise the packet network address of the (at least one) gateway which can be contacted to reach the destination gateway but that the replied is received at the originating gateway from the gatekeeper.

The Examiner also concedes that O'Brien does not disclose that **b)** *said communications network comprises a first zone and a second zone each comprising a plurality of terminals connected to a plurality of gateways and wherein a plurality of terminal identifiers of the first zone are also used for terminals of the second zone.*

However, the Examiner contends that feature **a)** is taught by Donovan and that it would have been obvious to combine the features of O'Brien and Donovan since this would enable the inbound gateway to establish a connection with the outbound gateway for data transmission. The Examiner further contends that feature **b)** is taught by Arrow and that it would have been obvious to combine the teachings of Arrow with those of O'Brien and Arrow to reduce the number of required addresses in a network with limited availability of addresses.

Applicant respectfully disagrees with the Examiner's §103(a) rejection of the aforementioned claims.

In O'Brien it is taught that the inbound gatekeeper 122 (of the inbound provider network 104) confirms the address and availability of the H.323 server 128 (of the remote customer site 108) to the inbound gateway 116 (paragraph [0041]). A first leg of call set up is then established between the inbound gateway 116 and the H.323 server 128 (paragraphs [0042], [0048]). Thus, it can be seen that, not only is feature **a)** of claim 1 of the present invention not explicitly taught by O'Brien, but that

it is not implicitly taught either. In fact, it is clear from O'Brien that the inbound gatekeeper reply received at the inbound gateway 116 comprises the address of the H.323 server 128. The inbound gateway 116 has no need to know the address of the (outbound) gateway 132 that will be used to connect to the destination terminal.

The H.323 server 128 then obtains from the outbound gatekeeper 130 (of the outbound provider network 110) the address of the outbound gateway 132 that is to be used to connect to the destination terminal 112. The H.323 server 128 then establishes the second arm of the call set-up between itself and the outbound gateway 132 (paragraph [0048]). It can be seen therefore that it is the H.323 server that receives the network address of the outbound gateway 116. The H.323 server 128 is not itself a gateway, however.

The function of the remote customer site 108 including the H.323 server 128 as taught by O'Brien is to enable operator clients of the owners of the service provider VoIP inbound and outbound networks 104, 110 to offer call card services without having to maintain their own VoIP networks but merely to provide a mechanism to authenticate calls (radius server 124), an IP mechanism to route those calls to a destination through the outbound provider network 110, a call signaling and routing mechanism (H.323 server 128) and any other mechanisms for use in routing or tracking calls (paragraph [0010]). Thus, it is clear that the customer site 108 and its constituent parts (the radius server 124 and the H.323 call signaling and routing server 128) are absolutely essential parts of the system taught by O'Brien.

A skilled person would not seriously contemplate combining the teachings of O'Brien and Donovan as contended by the Examiner since to do so would go against the teaching of O'Brien.

If the system of O'Brien were modified by the teachings of Donovan in the manner suggested by the Examiner to provide from the inbound gatekeeper 122 to the

inbound gateway 116 the address of the outbound gateway 132 to enable the inbound gateway to establish a connection with the outbound gateway 132, then the client comprising the remote customer site 108 operating the call card service would lose their ability to operate their call card service over the service provider's VoIP equipment. The combination of O'Brien and Donovan suggested by the Examiner would remove the H.323 server 128 from the call signaling and routing process and by consequence from any call tracking process. The consequences of this are clear – the remote customer site would have no commercial basis for continuance of its operation since it could no longer control, manage and charge for the call carding service. A skilled person would not seriously contemplate modifying the system of O'Brien by the teachings of Donovan because to do so would necessitate the making of an essential part of the system taught by O'Brien inoperative, which is illogical.

A skilled person would also not seriously contemplate combining the teachings of Arrow with the combination of O'Brien and Donovan.

Arrow teaches that the same network address can be used for two different nodes located in different local area networks (LANs). However, Arrow also teaches that it is necessary to provide address translation means at the edge of each LAN using local addresses to map multiple local addresses to a single public network address for that LAN.

All of the terminals 102 of the system taught by O'Brien are connected to the service provider inbound and outbound VoIP (packet based) networks 104, 110 by the same network, namely the PSTN 106. Therefore, a skilled person would not contemplate modifying any of the terminals 112 connected to the PSTN 106 to provide them with the same identifiers. One skilled in the art would also recognize that, while different terminals in different parts (e.g. countries) of the PSTN 106 may use the same telephone numbers, switches provided at various hierarchical layers of the PSTN 106 append to the beginning of a terminal's identifier (telephone number) numbers

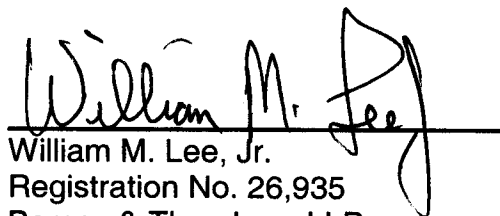
that, from a PSTN top level view, render that terminal's telephone number unique within the system. This is an essential part of how the PSTN familiar to us all comprising the linked national, regional etc. PSTNs co-operate to connect terminals that may at the local level have the same telephone number. Thus, it is an essential feature of O'Brien that terminals connected to the PSTN 106 have unique identifiers from a system level perspective.

It is clear from the present application (and implicit from the wording of claim 1) that a terminal identifier replicated between the first and second zones for a terminal in each of their respective zones is seen as being the same identifier from a system level view and that it is this which gives rise to the problem addressed by the present invention. A skilled person would not seek to introduce a similar problem into the system of O'Brien since the debatable benefit of doing so through a reduced number of network addresses for terminals, assuming that these can be applied to PSTN connected terminals, would greatly be outweighed by the disadvantage of having to incorporate network address translation means in the system to resolve conflict between replicated "local" addresses.

Accordingly, Applicants respectfully submit that the Examiner has not established a prima facie case of obviousness and that, in fact, the invention as presently defined, is both novel and non obvious over the prior art references cited. Applicants request favorable reconsideration.

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Respectfully submitted,

A handwritten signature in black ink, reading "William M. Lee, Jr.", is written over a horizontal line. The signature is stylized, with the first letters of each name being prominent.

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